

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ILLINOIS CENTRAL RAILWAY COMPANY,  
an Illinois Corporation,

Plaintiff,

vs.

PARADE PACKAGING, INC., f/k/a  
PARADE PACKAGING MATERIALS  
CO., INC., a division of FORTUNE  
PLASTICS, INC., a Connecticut  
Corporation,

Defendant

Case No.:

FILED: JUNE 27, 2008

08CV 3690

JUDGE LEFKOW

MAGISTRATE JUDGE SCHENKIER

EDA

COMPLAINT

Plaintiff, Illinois Central Railroad Company, (hereinafter "IC"), by way of Complaint against defendant, PARADE PACKAGING, INC., f/k/a PARADE PACKAGING MATERIALS CO., INC., a division of FORTUNE PLASTICS, INC., a Connecticut Corporation, says:

1. The Court obtains jurisdiction in this matter pursuant to 28 USCA 1337 (a) and 49 USCA 10743(a) being a suit for interstate freight and transportation charges.
2. Plaintiff IC is an Illinois Corporation with its principal place of business at 17641 South Ashland Avenue, Homewood, Illinois 60430, doing business in several states of the United States.
3. Plaintiff, IC and its connecting carriers at all times mentioned were common carriers by railroad engaged in interstate commerce and doing business in the United States.
4. Defendant, PARADE PACKAGING, INC., f/k/a PARADE PACKAGING MATERIALS CO., INC., a division of FORTUNE PLASTICS, INC., a Connecticut Corporation, (hereinafter "PARADE"), is involved in the business of wholesale plastics, with an office at 333 Washington Boulevard, Mundelein, IL 60060.

5. The subject matter of this action stems from demurrage charges assessed under circulars and tariffs published by the plaintiff for freight services throughout the United States, performed by IC for PARADE. IC provided these services for PARADE.

6. At times between June 2005 and January 2006, IC performed the services noted in paragraph 5 above as noted in the Invoices annexed to this Complaint as Exhibit "A"..

7. Pursuant to the applicable tariffs, circulars and contracts, there accrued to IC charges for these services the sum of \$13,450 US Dollars. A listing of the charges and the amount due for each is attached hereto as Exhibit "A."

8. These charges were billed and payment demanded for the services rendered by IC to PARADE at PARADE's offices at 262 S. Shaddle Avenue, Mudelein, IL 60060, from where the bills have always been disputed and/or paid; however, the defendant has failed and refused to pay the bills noted in this Complaint.

WHEREFORE, plaintiff IC demands that judgment against the defendant PARADE PACKAGING, INC., f/k/a PARADE PACKAGING MATERIALS CO., INC., a division of FORTUNE PLASTICS, INC., a Connecticut Corporation, be entered on this Complaint in the amount of \$13,450.00 in US Dollars to IC, plus any additional charges that may be due at the time of hearing, together with prejudgment interest from the date of service, and for costs and disbursements of the Complaint.

Attorney for Illinois Central Railway Company

Dated: June 25, 2008.

By: s/ Richard M. Kates  
Richard M. Kates  
Attorney for Illinois Central Railway Company  
111 West Washington Street  
Suite 1900  
Chicago, IL 60602-2713  
(312) 236-0267

JUDGE LEFKOW

MAGISTRATE JUDGE SCHENKIER

EDA

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# Invoice Optional Services

DEMURRAGE

# Facture Services Optionnels

REDEVANCES DE STATIONNEMENT

PATRON No / N° CLIENT 636150 ZY

PARADE PACKAGING MATERIAL CO  
ACCTS. PAYABLE  
262 S SHADDLE AVE  
MUNDELEIN IL 60060

INVOICE / FACTURE		CUSTOMER REFERENCE NUMBER NUMÉRO DE RÉFÉRENCE DU CLIENT
MM/DD/YYYY 09/12/2005	NO. / N° 750883147	

OS START DATE DATE DE DEBUT DU SERVICE 06/01/2005	EQUIPMENT NUMBER N° DU MATÉRIEL	FROM/AT DE/À MUNDELEIN, IL	TO JUSQU'À
OS COMPLETE DATE DATE DE FIN DU SERVICE 06/30/2005	REF. WAYBILL / FR DE REF. MM/DD/YYYY NO. N	FROM ZTS DU ZTS	TO ZTS AU ZTS
		PARADE PACKAGING MATERIAL CO	

GROUNDING DATE DATE DE MISE AU SOL	WEIGHT / POIDS	LENGTH / LONGUEUR	CAPACITY / CAPACITÉ	KIND / TYPE	IC-SCAC	JCT-R260	FROM/DU SCAC	TO/AU SCAC
CN								

STCC

DESCRIPTION	QUANTITY QUANTITÉ	RATE PRIX	CHARGES FRAIS
DEMURRAGE			
SERVICE RENDERED 1 OF 1			
PER DAY	61.0000	50.00	3,050.00
			3,050.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

## ADDITIONAL INFORMATION

PVT EQUIP UNLOADS HELD ON CN TRACKS - ALL

HST/GST No. / No TVH/TPS 10076 8779 RT0001  
OST No. / No TVQ 1000043156 TO 0514  
OS No. / No serv. fact. 929449

AUTO

For information Pour renseignements

STATEMENT No. 480392554  
No ÉTAT DE COMPTE

MAKE CHECK PAYABLE TO:  
LIBELLER LE CHÉQUE À L'ORDRE DE:

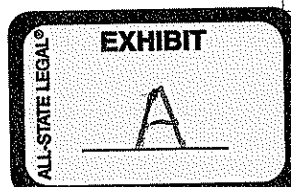


P.O. BOX 71206  
CHICAGO, IL  
60694-1206  
WWW.CN.CA

CN REPRESENTATIVE  
(800) 822-6440  
CHGVSPOINT@CN.CA

PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID  
MONTANT À PAYER EN DEVISES USD SI NON DÉJÀ PAYÉ  
\$3,050.00

PLEASE QUOTE INVOICE NUMBER /  
VEUILLEZ RAPPELER LE NO DE  
FACTURE: 750883147





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**Invoice  
Optional Services**

DEMURRAGE

**Facture  
Services Optionnels**

REDEVANCES DE STATIONNEMENT

PATRON No / N° CLIENT 636150 ZY

PARADE PACKAGING MATERIAL CO  
ACCTS. PAYABLE  
262 S SHADDLE AVE  
MUNDELEIN IL 60060

INVOICE / FACTURE		CUSTOMER REFERENCE NUMBER NUMÉRO DE RÉFÉRENCE DU CLIENT
MM/DD/YYYY 09/14/2005	NO. / N° 750885381	

OS START DATE DATE DE DEBUT DU SERVICE	EQUIPMENT NUMBER N° DU MATÉRIEL	FROM/AT DE / À	MUNDELEIN, IL	TO JUSQU'À
07/01/2005		FROM ZTS DU ZTS		TO ZTS AU ZTS

OS COMPLETE DATE DATE DE FIN DU SERVICE	REF. WAYBILL / FR DE REF. MM/DD/YYYY NO. N	SHIPPER / EXPÉDITEUR	CONSIGNEE / DESTINATAIRE
07/31/2005		PARADE PACKAGING MATERIAL CO	

GROUND DATE DATE DE MISE AU SOL	WEIGHT / POIDS	LENGTH / LONGUEUR	CAPACITY / CAPACITÉ	KIND / TYPE	IC-SCAC	JCT-R260	FROM/DU SCAC	TO/AU SCAC
								CN

STCC

DESCRIPTION	QUANTITY QUANTITÉ	RATE PRIX	CHARGES FRAIS
DEMURRAGE			
SERVICE RENDERED 1 OF 1			
PER DAY	15.0000	50.00	750.00
			----- 750.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

## ADDITIONAL INFORMATION

PVT EQUIP UNLOADS HELD ON CN TRACKS - ALL

HST/GST No. / No TVH/TPS 10076 8779 R70001  
QST No. / No TVQ 1000043156 TO 0514  
OS No. / No serv. fact. 948739

AUTO

For Information Pour renseignements

STATEMENT No. 480393896  
No ÉTAT DE COMPTE

MAKE CHECK PAYABLE TO:  
LIBELLER LE CHÈQUE À L'ORDRE DE:



P.O. BOX 71206  
CHICAGO, IL  
60694-1206  
WWW.CN.CA

CN REPRESENTATIVE  
(800) 822-6440  
CHGSVSPPOINT@CN.CA

PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID  
MONTANT À PAYER EN DEVISES USD SI NON DÉJÀ PAYÉ  
\$750.00

PLEASE QUOTE INVOICE NUMBER /  
VEUILLEZ RAPPELER LE NO DE  
FACTURE: 750885381



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**Invoice  
Optional Services**

DEMURRAGE

**Facture  
Services Optionnels**

REDEVANCES DE STATIONNEMENT

PARADE PACKAGING MATERIAL CO  
ACCTS. PAYABLE  
262 S SHADDLE AVE  
MUNDELEIN IL 60060

PATRON No / N° CLIENT 636150 ZY

INVOICE / FACTURE		CUSTOMER REFERENCE NUMBER NUMÉRO DE RÉFÉRENCE DU CLIENT
MM/DD/YYYY 09/15/2005	NO. / N° 750886760	

OS START DATE DATE DE DEBUT DU SERVICE	EQUIPMENT NUMBER N° DU MATÉRIEL	FROM/AT DE / A	MUNDELEIN, IL	TO JUSQU'À
08/01/2005		FROM ZTS DU ZTS		TO ZTS AU ZTS

OS COMPLETE DATE DATE DE FIN DU SERVICE	REF. WAYBILL / FR DE REF. MM/DD/YYYY NO. N	SHIPPER / EXPÉDITEUR	CONSIGNEE / DESTINATAIRE
08/31/2005		PARADE PACKAGING MATERIAL CO	

GROUNDING DATE DATE DE MISE AU SOL	WEIGHT / POIDS	LENGTH / LONGUEUR	CAPACITY / CAPACITÉ	KIND / TYPE	IC-SCAC	JCT-R260	FROM/DU SCAC	TO/AU SCAC
							CN	

STCC

DESCRIPTION	QUANTITY QUANTITÉ	RATE PRIX	CHARGES FRAIS
DEMURRAGE			
SERVICE RENDERED 1 OF 1			
PER DAY	9.0000	50.00	450.00
			-----
			450.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

## ADDITIONAL INFORMATION

PVT EQUIP UNLOADS HELD ON CN TRACKS - ALL

HST/GST No. / No TVH/TPS 10076 8779 RT0001  
QST No. / No TVQ 1000043156 TO 0514  
OS No. / No serv. fact. 967577

AUTO

For Information Pour renseignements

STATEMENT No. 480394390  
No ÉTAT DE COMPTE

MAKE CHECK PAYABLE TO:  
LIBELLER LE CHEQUE À L'ORDRE DE:



P.O. BOX 71206  
CHICAGO, IL  
60694-1206  
WWW.CN.CA

CN REPRESENTATIVE  
(800) 822-6440  
CHGSVSPPOINT@CN.CA

PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID  
MONTANT À PAYER EN DEVISES USD SI NON DÉJÀ PAYÉ  
\$450.00

PLEASE QUOTE INVOICE NUMBER /  
VEUILLEZ RAPPELER LE NO DE  
FACTURE: 750886760





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**Invoice  
Optional Services**

DEMURRAGE

**Facture  
Services Optionnels**

REDEVANCES DE STATIONNEMENT

PARADE PACKAGING MATERIAL CO  
ACCTS. PAYABLE  
262 S SHADDE AVE  
MUNDELEIN IL 60060

PATRON No / N° CLIENT 636150 ZY

INVOICE / FACTURE		CUSTOMER REFERENCE NUMBER NUMÉRO DE RÉFÉRENCE DU CLIENT
MM/DD/YYYY	NO. / N°	
01/20/2006	750967396	

OS START DATE DATE DE DEBUT DU SERVICE	EQUIPMENT NUMBER Nº DU MATÉRIEL	FROM/AT DE / A	MUNDELEIN, IL				TO JUSQU'À	
12/01/2005		FROM ZTS DU ZTS					TO ZTS AU ZTS	
OS COMPLETE DATE DATE DE FIN DU SERVICE	REF. WAYBILL / FR DE REF. MM/DD/YYYY NO. N	SHIPPER / EXPÉDITEUR				CONSIGNEE / DESTINATAIRE		
12/31/2005		PARADE PACKAGING MATERIAL CO						
GROUNDING DATE DATE DE MISE AU SOL	WEIGHT / POIDS	LENGTH / LONGUEUR	CAPACITY / CAPACITÉ	KIND / TYPE	IC-SCAC	JCT-R260	FROM/DU SCAC	TO/AU SCAC

STCC

DESCRIPTION	QUANTITY QUANTITÉ	RATE PRIX	CHARGES FRAIS
DEMURRAGE			
SERVICE RENDERED 1 OF 1			
PER DAY	42.0000	50.00	2,100.00
			-----
			2,100.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

## ADDITIONAL INFORMATION

PVT EQUIP UNLOADED ON CN TRACK - ALL

HST/GST No. / No TVH/TPS 10076 8779 RT0001  
QST No. / No TVQ 1000043156 TQ 0514  
OS No. / No serv. fact. 104402

AUTO

For Information Pour renseignements

STATEMENT No. 480432924  
No ÉTAT DE COMPTE

MAKE CHECK PAYABLE TO:  
LIBELLER LE CHÈQUE À L'ORDRE DE:



P.O. BOX 71206  
CHICAGO, IL  
60694-1206

WWW.CN.CA

CN REPRESENTATIVE  
(800) 822-6440  
CHGSVSPPOINT@CN.CA

PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID  
MONTANT À PAYER EN DEVISES USD SI NON DÉJÀ PAYÉ  
\$2,100.00

PLEASE QUOTE INVOICE NUMBER /  
VEUILLEZ RAPPELER LE N° DE  
FACTURE: 750967396



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# Invoice Optional Services

EXTENDED ASSET USE (DEMURRAGE)

# Facture Services Optionnels

STATIONNEMENT PROLONGE

PARADE PACKAGING MATERIAL CO  
ACCTS. PAYABLE  
262 S SHADDLE AVE  
MUNDELEIN IL 60060

PATRON No / N° CLIENT 636150 ZY

INVOICE / FACTURE		CUSTOMER REFERENCE NUMBER NUMERO DE REFERENCE DU CLIENT
MM/DD/YYYY 03/01/2006	NO. / N° 750991545	

OS START DATE DATE DE DEBUT DU SERVICE	EQUIPMENT NUMBER Nº DU MATÉRIEL	FROM/AT DE / A	MUNDELEIN, IL		TO JUSQU'À			
01/01/2006		FROM ZTS DU ZTS			TO ZTS AU ZTS			
OS COMPLETE DATE DATE DE FIN DU SERVICE	REF. WAYBILL / FR DE REF. MM/DD/YYYY NO. N	SHIPPER / EXPÉDITEUR			CONSIGNEE / DESTINATAIRE			
01/31/2006		PARADE PACKAGING MATERIAL CO						
GROUNDING DATE DATE DE MISE AU SOL	WEIGHT / POIDS	LENGTH / LONGUEUR	CAPACITY / CAPACITÉ	KIND / TYPE	IC-SCAC	JCT-R260	FROM/DU SCAC	TO/AU SCAC
								CN

STCC

DESCRIPTION	QUANTITY QUANTITÉ	RATE PRIX	CHARGES FRAIS
EXTENDED ASSET USE (DEMURRAGE)			
SERVICE RENDERED 1 OF 1			
PER DAY	132.0000	50.00	6,600.00
			-----
			6,600.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

## ADDITIONAL INFORMATION

PVT EQUIP UNLOADED ON CN TRACK - ALL

HST/GST No. / No TVH/TPS 10076 8779 RT0001  
QST No. / No TVQ 1000043156 TQ 0514  
OS No. / No serv. fact. 1083366

AUTO

For Information Pour renseignements

STATEMENT No. 480445802  
No ÉTAT DE COMPTE

MAKE CHECK PAYABLE TO:  
LIBELLER LE CHÉQUE À L'ORDRE DE:



P.O. BOX 71206  
CHICAGO, IL  
60694-1206  
WWW.CN.CA

CN REPRESENTATIVE  
(800) 822-6440  
CHGSSVSPPOINT@CN.CA

PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID  
MONTANT À PAYER EN DEVISES USD SI NON DÉJÀ PAYÉ  
\$6,600.00

PLEASE QUOTE INVOICE NUMBER /  
VEUILLEZ RAPPELER LE No DE  
FACTURE: 750991545